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Copy of letter from
Mr. Colby to
Senate Select Com on Intel
(Patrick Moynihan)
&
House Select Com on Intel
(Edward Boland)
Dec 23, 1981
(Museum Box)

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December 23, 1981

The Honorable Patrick J. Moynihan
Acting Chairman
Select Committee on Intelligence
United States Senate

The Honorable Edward P. Boland
Chairman
Select Committee on Intelligence
U.S. House of Representatives

Dear Messrs. Chairmen:

The Foreign Service Act of 1980, Section 814, made certain provisions for the benefit of former spouses of Foreign Service Officers covered under the Foreign Service Retirement System. In essence, this provided that a former spouse was entitled to a percentage of her spouse's retirement benefits if she had been married to a member of the Foreign Service for more than ten years during the period the Foreign Service Officer was engaged in services creditable for such retirement. The reason for the change in the Act was the recognition that the nature of the Foreign Service requires a substantial contribution by the spouse of a Foreign Service officer, that the spouse shares the hazards and discomforts involved, and that the spouse faces a particular handicap in developing her own employment history by reason of service abroad.

A number of former spouses of CIA officers find themselves in a comparable position to those which Foreign Service former spouses faced before the 1980 Act was passed. They have requested me to help them in bringing this matter to your attention, which I am glad to do without fee because of my very personal realization of the contributions my own wife made to CIA during our years together overseas.

The spouse of a CIA officer abroad faces unique demands for direct assistance to the mission of the CIA officer. The spouse must help protect the security of his status, frequently assists as cover or actual participant in operational activities, and faces extra hazard and mental tension of knowing the degree of danger faced not only by the CIA officer but by his whole family. The spouse also encounters particular restraints, either insisted upon by

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security officials or self-imposed out of loyalty, in describing her experiences in later employment applications. Under present law in many jurisdictions, a divorce can leave the former spouse without the capability of supporting herself, without the ability to explain the nature of her previous activities and with no recognition for the substantial contribution she made to the work for the Agency during her married years. With the prevalence of divorce in these times, frequently augmented by the marital strains imposed by the nature of CIA service abroad, this is becoming a substantial problem in the CIA community.

Accompanying this letter is a series of accounts by a number of CIA spouses, some divorced and some still married, of their service with their CIA officer husbands abroad. The names of the spouses have been omitted for reasons of security or privacy, but these are known to me and they are available for interview as the Committee may desire.

This material has been submitted to the Director of Central Intelligence for his review prior to sending it to these Committees. His decision is respected as to whether this material should be classified, in which case it is, or whether it can be handled on a non-classified basis.

Many of these accounts show the essential identity of problems of CIA spouses with those of Foreign Service spouses, which gave rise to the 1980 Act. In the accounts, however, there also appear the unique aspects of CIA life abroad, which present an even more compelling case for recognition that the CIA spouse has made direct contributions to the mission of the Agency and earned fair recognition of those contributions if her marriage for any reason should be dissolved. Several excerpts have been taken from these and attached directly to this letter. Even a cursory review of these comments reveals the important contributions these spouses have made to the CIA service, and the injustice of leaving recognition of those to the vagaries of present-day divorce procedures.

CIA officers retire under one of two systems. The CIA officer who spends most of his time in the United States looks to the regular arrangements of the Civil Service System. This does not provide benefits to former spouses unless the divorce or other decree so provides. A smaller percentage of CIA officers are covered under the special CIA

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Retirement and Disability System (CIARDS) by reason of the unique character of their service, primarily abroad. This system follows the pattern of the Civil Service System with respect to spouses, however, so former spouses have no rights beyond the divorce degree. It is anomalous that the CIA former spouse has less rights under the CIA System (or the Civil Service System) than the former spouse under the normal Social Security System.

A rather simple enactment of the provisions of the Foreign Service Act as an amendment to the CIARDS system, would bring equality to the two fellow groups who serve abroad together. This small change in the CIARDS legislation would not be an act of grace nor an interference with the private lives of CIA personnel and their spouses. It would rather be simple recognition of the fact of life that no CIA officer can effectively do his operational work without the active support of his spouse. In this situation, the spouse's contribution should be recognized and vested no matter what happens in later years to the marriage in question. Any other approach to this matter would be an unfair and undignified way of expressing our government's attitude toward the unique contribution made by CIA spouses to the important operational missions of the Agency. As the attached histories attest, they have earned your consideration.

Sincerely,

W. E. Colby

Attachments

A. Excerpts from CIA spouse's experiences
B. CIA Spouses' experiences (10).
C. Memorandum, Retirement Rights of Former Spouses (Foreign Service Act of 1980, Section 814; Social Security, 42 USCA 402b-1; Civil Service; Military Services; (CIARDS)

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